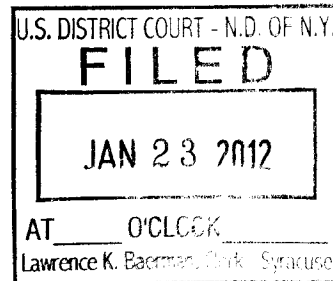


IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF NEW YORK



\*\*\*\*\*

UNITED STATES OF AMERICA, *ex rel.*  
DANIEL S. JORGENSEN,  
and THE STATE OF NEW YORK,  
*ex rel.* DANIEL S. JORGENSEN,

Plaintiffs,

v.

Civil Action No.  
5:07-CV-1208  
(NPM) (GHL)

CAYUGA MEDICAL CENTER AT ITHACA, INC.

Defendant.

**ORIGINAL**

\*\*\*\*\*

**ORDER**

The United States having intervened in this action, pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4), and the State of New York having intervened pursuant to New York False Claims Act, State Finance Law §190 subd. 2(c)(ii), the Court rules as follows:

IT IS ORDERED that,

1. The Second Amended Complaint be unsealed and served upon the defendant by the United States, and State of New York. The Court grants relator leave to file the Second Amended Complaint pursuant to Rule 15(a)(2).
2. All other previously filed contents of the Court's file in this action remain under seal and are not to be made public or served upon the defendant, except for this Order and the Notice of Election to Intervene by the United States and State of New York, and Application by the United States, State of New York and relator for a Voluntary Dismissal, which will be served upon the defendant after service of the Second Amended Complaint.

3. The seal be lifted as to all matters occurring in this action after the date of this Order.

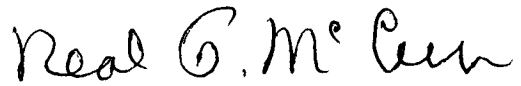
4. All claims in this action be and hereby are dismissed pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and 31 U.S.C. §3730(b)(1), with prejudice to relator, Daniel S. Jorgenson, subject to the terms and exceptions contained in the Settlement Agreement.

5. All claims in this action be and hereby are dismissed pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and 31 U.S.C. §3730(b)(1), with prejudice to the United States of America, only with respect to the Covered Conduct described in Settlement Agreement Recitals D and E, and otherwise without prejudice.

6. All claims in this action be and hereby are dismissed pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and New York State Finance Law §190 subd. 5(b)(ii), with prejudice to the State of New York, only with respect to the Covered Conduct described in Settlement Agreement Recitals D and E, and otherwise without prejudice.

IT IS SO ORDERED,

This 23<sup>rd</sup> day of January, 2012



HON. NEAL P. MCCURN  
SENIOR U.S. DISTRICT COURT JUDGE